

Withdrawn

AN ORDINANCE approving the awarding of I.T.B. #7138 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and MARTIN ENTERPRISES through the Department of Neighborhood Code Enforcement.


NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That I.T.B. #7138 between the City of Fort Wayne, by and through its Department of Purchasing and MARTIN ENTERPRISES (expenditures will exceed \$100,000 during 1995) for the Water Pollution Control Plant, respectfully for:


demolition services for the removal of building #8 located at 2300-2500 Holton Avenue through the Department of Neighborhood Code Enforcement;

involving a total cost of Forty-Eight Thousand and no/100 Dollars (\$48,000.00), all as more particularly set forth in said I.T.B. #7138, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Henry,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on Finance (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 3-14-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	_____	_____	_____	_____
BRADBURY	_____	_____	_____	_____
EDMONDS	_____	_____	_____	_____
GIAQUINTA	_____	_____	_____	_____
HENRY	_____	_____	_____	_____
LONG	_____	_____	_____	_____
LUNSEY	_____	_____	_____	_____
RAVINE	_____	_____	_____	_____
SCHMIDT	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATED: _____

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19_____,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Paul Helmke
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. S-95-03-07

Handwritten signature/initials

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - CHAIR
MARK E. GIAQUINTA - VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of I.T.B. #7138 by the City of Fort Wayne, Indiana, by and through its
Department of Purchasing and MARTIN ENTERPRISES through the Department of
Neighborhood Code Enforcement

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
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DATED: 4-11-95.

Sandra E. Kennedy
City Clerk

REF. NO.:	7138
DEPT:	N C E D
DATE:	03/9/95
ITEM/SERVICE:	DEMOLITION 2300-2500 HOLTON AVE BLDG #8
ADVERTISED BID:	YES
DATES ADVERTISED:	01/30/95 & 02/06/95
DATE OPENED:	02/16/95
SINGLE SOURCE:	NO
NO. OF VENDORS NOTIFIED:	5
NO. OF VENDORS RECEIVING BID:	3
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	2
DATE SENT TO DEPT FOR RECOMM:	02/22/95
DATE RECOMM RECEIVED BACK:	03/06/95
DATE SENT TO LAW DEPT:	03/09/95
INTRODUCTION DATE:	03/14/95
DISCUSSION DATE:	03/21/95
PASSAGE DATE:	03/28/95

.ITB #7138
DEMO OF BLDG #8
NCED

02/21/95

ENTERLINE

MARTIN ENT

RICHARD NESS

LOCATION: 2300-2500 HOLTON AVE

COST TO DEMO BLDG
LOT RESTORATION

\$65,000.00
\$2,000.00

\$48,000.00
\$0.00

\$49,475.00
\$300.00

TOTAL

\$67,000.00

\$48,000.00

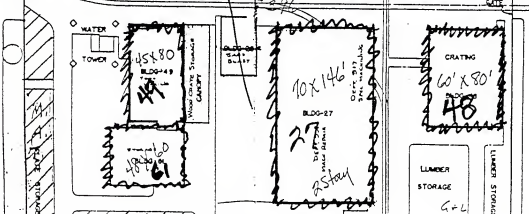
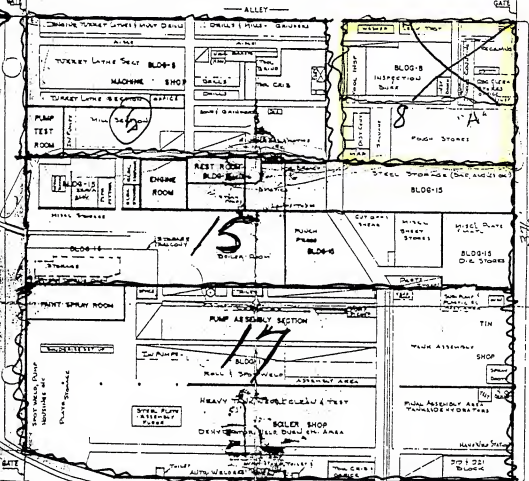
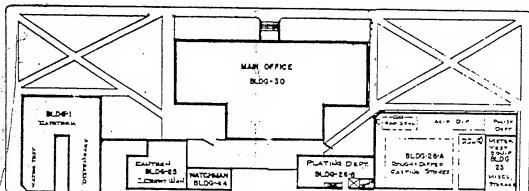
\$49,775.00

DD:  _____

Attachment 1

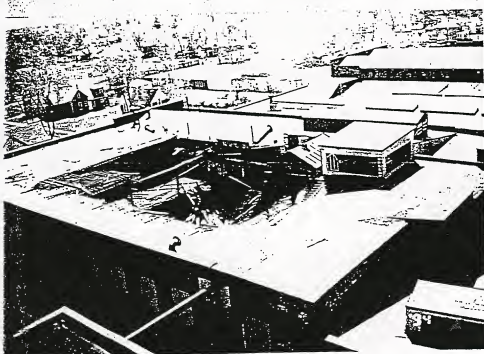
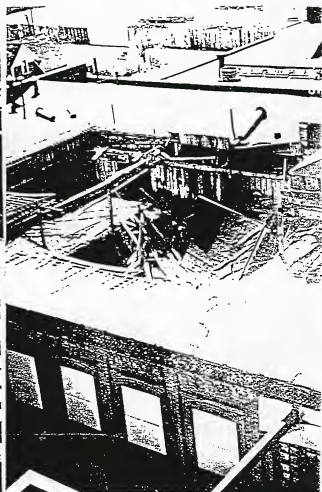
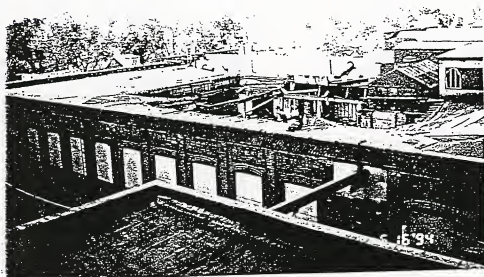
SECTION-AA-AT-PAWET

EAST CREIGHTON AVE



Bldg 62

CL - Davis Contract



RECORD OF HEARING AND FINDINGS OF HEARING OFFICER

Action taken at a hearing relative to an order issued by the Department of Neighborhood Code Enforcement of the City of Fort Wayne, pursuant to the provisions of enforcement of the Department of Neighborhood Code Enforcement, General Ordinance G-31-84:

DATE OF HEARING: MAY 17, 1994

Real estate effected:

Lots 10-36 Hanna and Fisher's Addition and Lots 37-45 Hanna 7 Fishers Addition, Exc. The South Feet of said Lots, All Together with the Vacated Part of Hurd from Bowser Avenue to Holton Avenue and the Vacated Part of Fisher Street from Bowser Avenue to Holton Avenue and the Vacated Alley North of Fisher Street Extending from Bowser Avenue to Holton Avenue and the Vacated Alley Between Lots 31 & 32

Persons with substantial property interest in the real estate effected:

Wayne Warehouse and Cartage Inc., An Indian Corporation.

Phil Alber c/o Distributions Network

Order being reviewed:

Order to Demolish

Findings of Fact:

1. Proper notice of Order and Hearing relative to the Order were given to all persons with substantial property interest in the real estate affected.
2. Under General Ordinance G-31-85, the building designated as Building Eight (8) on the map that is attached to this finding and order and designated as Attachment 1, which said building is located in the approximate northeast corner of the real estate that is the subject of the hearing, and which said building is further identified in photographs attached to this finding and order and is identified as Attachment 2 is:
 - a. An impaired structural condition that makes it unsafe to person or property.
 - b. A fire hazard.
 - c. A hazard to public health.
 - d. A public nuisance.

- e. Dangerous to person or property because of violations of Section 152.31 of G-31-85 for the following reasons:

collapsed roof
loose mortar
missing windows and doors

3. Under General Ordinance G-31-85, the common areas and grounds of the real estate that is the subject of the hearing are:

- a. A hazard to public health
b. A public nuisance.
c. Dangerous to person or property because of violations of Section 152.31 of G-31-85, for the following reasons:

Trash, debris, discarded construction material, used vehicle tires, and abandoned vehicles are present throughout the premises.

DECISION OF THE HEARING OFFICER:

The order to demolish the structure designated as Building Eight (8) located in the approximate northeast section of the subject real estate is hereby affirmed. As part of the order the Hearing Officer recommends that the Department of Neighborhood Code Enforcement for the City of Fort Wayne withhold enforcement of the demolition order until November 15, 1994.

The Hearing Officer hereby modifies the remainder of the order as follows:

The Trash, debris, discarded construction material, used vehicle tires and abandoned vehicles present on the grounds and common areas of the subject real estate constitute a violation of Section 152.31 of G-31-85, and the Hearing Officer orders that the ordinance violation be corrected forthwith.


F. John Rogers

Subscribed and sworn to before me, the undersigned Notary Public in and for said County and State, on this 13 day of

July, 1994



Beth A. Lucas
Notary Public
Resident of Allen County, IN.

My Commission Expires:

11-17-97

MEMORANDUM

TO: CITY COUNCIL MEMBERS

FROM: GARY BAETEN, ADMINISTRATOR, NCE

SUBJ: I.T.B. NO. 7138/DEMO BLDG. #8

DATE: APRIL 5, 1995

On March 21, 1995 the City Council Finance Committee discussed an ordinance that would allocate funds for the demolition of Building #8 located at 2300-2500 Holton Avenue.

The discussion that took place concerning this ordinance resulted in it being tabled until the members of the Finance Committee could review the structure. The purpose of the Finance Committees action, as I understood it, was to determine if the danger presented by the collapsed roof could be eliminated by securing the exterior of the building. It was also my impression that the committee did not favor proceeding with the demolition, and wanted us to examine other alternatives.

Based on the conclusion that I have drawn from the discussions that took place on March 21, 1995, and our examination of alternatives, I am formally requesting that this ordinance be withdrawn. As part of the withdrawal I want to indicate that we will make every effort to secure the perimeter of the building to discourage access to the area that we proposed to demolish. Keep in mind that the area to be demolished cannot be entirely isolated from the remainder of the building because other portions of the building are in use.

The condition of the roof in building #8 will continue to deteriorate and the problem that we attempted to address in this ordinance, will continue to worsen because of exposure to the weather. At some point in the future the question of demolition will, in all probability, have to be addressed. For a period of time we can do some minimal clean-up (placing a lien on the property for our costs) and maintain a relatively safe situation. I want to emphasize again that we are, in all probability, simply buying time here and will have to address the need to demolish the building in the near future for safety reasons. Until then it will simply remain an eyesore in the neighborhood.

Councilmembers with questions or comments can contact me at 427-1324.



MEMORANDUM

TO: City Council Members
FROM: Gary Baeten, Administrator, NCE
DATE: March 6, 1995
SUBJ: I.T.B. NO. 7138/DEMO #8

J-95-03-07

The demolition, for which this bid is being requested, was approved at a NCE Administrative Hearing held on May 17, 1994. A condition of the approval to demolish Building #8 was that demolition procedures could not start prior to November 15, 1994.

The demolition was approved because of the structural condition of roof of Building #8, the roof has collapsed into the building and in the interest of safety this portion of the overall complex must be demolished.

Attached to this memorandum is a drawing submitted by the owner of the property that designates various buildings within the old Bowser complex. The area to be demolished is highlighted for your convenience. Also included is a copy of the Record of Hearing.

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of I.T.B. No. 7138 for demolition services for the removal of building #8 located at 2300-2500 Holton Avenue thru the Neighborhood Code Enforcement Division.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Demolition of a portion of the Industrial Building located immediately south of Police Department facility. Roof has collapsed into building #8.

IF REPLACEMENT, WHAT NECESSITATES:

EFFECT OF NON-PASSAGE: Building will remain in its current deteriorated and unsafe condition.

MONIES INVOLVED:

MARTIN ENTERPRISES \$48,000.00

PRICE AGREEMENT: PURCHASE ORDER: Yes

SOURCE OF FUNDING: N C E D 010-008-NCED-4415

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

Amount spent from 1/1/95-3/9/95: \$70,958.00